

1 Mark E. Ellis – 127159
 2 Andrew M. Steinheimer – 200524
 3 ELLIS, COLEMAN, POIRIER, LAVOIE, &
 4 STEINHEIMER, LLP
 5 555 University Avenue, Suite 200 East
 Sacramento, CA 95825
 Tel: (916) 283-8820
 Fax: (916) 283-8821

6 Attorneys for Defendant VAN RU CREDIT CORPORATION

7
UNITED STATES DISTRICT COURT
 8
FOR THE NORTHERN DISTRICT OF CALIFORNIA
 9

10 GLORIA ARZADON, an individual,

11 Plaintiff,

12 v.

13 WELLS FARGO BANK, NA., dba WELLS
 14 FARGO CARD SERVICES, CANDY DOE, an
 individual, VAN RU CREDIT CORPORATION,
 15 DOES 1 THROUGH 10, et al.,

16 Defendants.

CASE NO.: C-07-02667 JCS
 C 07-02868 JSW

**EX PARTE APPLICATION TO HAVE
 CASES DEEMED RELATED**

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 18 By this Ex Parte Application, defendant Van Ru Credit Corporation hereby requests that this
 19 Court order the cases of Arzadon v. Wells Fargo Bank, et al. filed as case numbers C-07-02868 JSW
 20 and C-07-02667 JCS be deemed related. The actions should be related as they are actually the same
 21 case but were accidentally removed twice from state court. Once the cases are deemed related,
 22 defendant will move to have the cases consolidated or to have one of the duplicative cases dismissed.

23 These actions were originally filed as one case in San Francisco County Superior Court – SF
 24 Superior Court case no. 07-460636. On May 21, 2007, defendant Wells Fargo Bank removed the state
 25 court action to the United States District Court for the Northern District of California. The case was
 26 assigned case number 07-02667 JCS.

27 Unaware of the earlier removal to federal court, defendant Van Ru Credit Corporation also
 28 filed a notice of removal on June 1, 2007 and *again* removed the case to the United States District

1 Court for the Northern District of California. The case was assigned case number C-07-02868 SI.
2 Subsequently Judge Illston recused herself from this case and it was assigned to Judge White.

3 As there are now two cases pending in federal court that are actually the same case, defendant
4 requests that the cases be related so one Judge can handle both cases and make an appropriate decision
5 about consolidating the cases or dismissing one of the duplicative cases.

6 Respectfully submitted.

7 Dated: June 18, 2007

8 ELLIS, COLEMAN, POIRIER, LAVOIE, &
9 STEINHEIMER LLP

10 By



11 Andrew M. Steinheimer
12 Attorneys for Defendant
13 VAN RU CREDIT CORPORATION

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